

court that these very acts, performed in violation of duty, should be held to entitle him to the benefit of the Statute of limitations. To us it would appear an unwarrantable extension of the rule, and a violation of the natural dictates of equity, to permit an individual who has taken possession of property, as administrator, by claiming it as his own, to destroy his trust character, and to urge that as a reason why the Statute should be interposed in his defence; as this case then the trust remaining connected, we are bound to regard it as coming within the principle of those cases to which the Statute does not attach, and consequently that the plea should have been overruled and the defendant required to answer. Several points were raised in the argument of this cause and discussed with great ability, but as this depended upon the question whether the Statute applied at all or not it has become unnecessary to examine into them.

The Decree of the Chancellor must be reversed and the cause remanded.

From the N. O. Bulletin.

NEW ORLEANS & NASHVILLE RAIL ROAD.

We find, from the proceedings of our legislature that a joint committee have been appointed to deliberate what should be done in relation to this important work. Our only fear is that the session will be suffered to waste away before any action is had, and thus all the rival works now in progress will far outstrip us. Our maxim is to act with decision, and if this work be necessary for the prosperity of our state and city, let us not shiver in the wind, but move in it in a manner to insure its prompt execution. Those who have doubts about its paying well, may read the annexed statement of tolls on the roads and canals in Pennsylvania. Have we not as much means to improve our state as Pennsylvania? Have we not more commerce and more produce to transport on them? And have we not enterprising citizens who are at this moment laying the foundations of our prosperity even to the manufacture of our own products.

But it is want of faith in our own citizens which paralyzes all these efforts and requires years to do what if seconded by us, would be accomplished in half the time. Away then with doubts and with all petty jealousies. Let us have a full and fair trial. The governor tells us that the president and directors of the company have evinced faith in the undertaking. Their means of information is better than ours, and the honesty of that faith will not be doubted by those who know them. But there is another and a better test. Go and see that which has been done, and you then have the best pledge of what will be done. But it is time to shew what Pennsylvania has done.

"We have made up from official documents, the following statement of the receipts for TOLLS upon the Pennsylvania State Rail Roads and Canals. It presents a truly gratifying prospect to the friends of our state system of internal improvements."—Com. List.

Receipts of toll from Nov. 1st, 1835, to Oct. 18th, 1836, on the Pennsylvania State Canals and Rail Roads.

	Can. tolls	Coll. R.R.	Motive pow.
1835 Nov.	\$12,441 62	\$11,936 82	\$10,383 08
Dec.	33,451 35	17,175 91	5,142 51
1836 Jan.	8,915 20	14,117 17	6,710 23
Feb.	3,861 70	2,547 39	1,482 51
Mar.	1,931 65	3,454 66	1,729 70
Apr.	15,140 71	16,665 33	7,597 56
May	47,668 57	21,773 93	20,330 31
June	75,633 21	33,773 64	23,255 71
July	61,695 97	29,065 80	22,827 88
Aug.	45,465 23	25,360 41	17,034 49
Sept.	60,712 38	30,000 72	20,808 36
Oct. 18,	51,940 32	23,539 41	18,036 42
	\$406,366 21	\$233,440 29	\$153,627 75
			233,440 29
			406,366 21

Total 795,534.35

NOTE.—It is believed that the tolls due, but not yet paid in, will amount to \$30,000.

From the Salmagundi.

MAWORM'S SERMON.

Stay! ye infuriated wretches! ye know not what ye do! The doctor is innocent—I say unto you that the doctor is innocent. Touch not a hair of his precious head—rumple not a curl of his pious wig—you'll all go to the devil for what you are now doing; old Belzebub has got hold of your poor souls, and I can hear him swearing and a growling over them, just the same as your black Tom-cat growls over a poor mouse. You'll all be bled down for the devil's supper in a large copper cauldron full of stinking pitch and brimstone, and you are so hardened in sin that the more you'll be bled, the more you won't be done. I know your wickedness—your races, your balls, and your plays—but I have one satisfactory yea, I say, I have one glorious satisfaction, that one of your theatres is shut up, and there is preaching now going on at the other. There's the Chesnut, and the Walnut, and the Mulberry—but old Nick will roast the Chesnut, crack the Walnut, and knock the Mulberry to eternal smash. Then when you are all damned, you'll come to me for assistance—you will all go down, down, down; and I shall go up, up, up. Then I'll want to be sticking to the skirts of my coat, that I may take you up with me, but you shan't—you shan't—you shan't—for I'll cut off my tail, and go to heaven in a roundabout.

Simpson was a strong man, yet he could not pay money before he had it.

LIBERTY ADVOCATE

LIBERTY, JANUARY 24, 1837.

SENTINEL AND EXPOSITOR.

We have received a few numbers of this paper recently established at Vicksburg. It professes to be of the genuine Jeffersonian State Rights creed, and from the ability displayed in the two first numbers, we have no doubt but Nullification will receive a valuable accession in the labors of the Sentinel. From the miscellaneous cast of the paper, it will prove highly interesting to the general reader. Our best wishes for its prosperity and success.

LOUISIANA.

Alexander Mouton has been elected U. States Senator from this State to fill the vacancy occasioned by the resignation of Judge Porter.

We have received no further news from Congress since our last.

NULLIFICATION.

There are certain great cardinal principles to which we should constantly recur amidst the tempests of political discussion. These landmarks cannot be lost sight of without eminently endangering the fate of the ship of State. The noble vessel may be charged with the liberties of millions, and proudly unfurl her sails to the winds of heaven, yet, unless these fixed points are kept constantly in view, she ploughs the main without chart or compass, and is borne upon the billows at random, unconscious at what moment the fatal reef may do the work of wreck and ruin. The fact is too palpable to be denied, that the present inauspicious epoch in our infant history, imperiously demands a recurrence to fundamental principles. The rapid and alarming impetus to consolidation and despotism, that has been communicated to our government within the last few years, must be arrested. To perform this important duty, our system of government should be carefully analyzed, the relation of the States and the General Government correctly learned, and sound political principles studiously disseminated. To remove the evil, we must seek out and eradicate the cause.—To paralyze the strong arm of executive power that has of late so completely prostrated and enslaved the co-ordinate departments of the General Government, concentrated all authority in its own hands and threatened the existence of the States with utter annihilation, we must, in the first place, plainly and intelligibly define the line of demarcation between the powers of the States and the powers of the General Government. The Constitution has carefully drawn this dividing line. It has delegated to the General Government certain enumerated powers, and reserved all the balance (the prohibited powers excepted) to the States. In order to ascertain, then, what powers the General Government can exercise, we must refer to the Constitution, and see whether the power is enumerated. If it is enumerated, the government can act upon it: if not enumerated or necessary to carry into effect an enumerated power, it is equally clear that the General Government has no right to the exercise of such power.—If this simple process of enquiry as to the constitutionality of the acts of the General Government, had been pursued from the beginning of our Republic, we never should have seen usurpation enthroning itself on the forms of a free government. Let this simple method of investigation be adopted, and solid reform will assume the place of nominal reform, and the Constitution preserved in its primitive beauty and order.

What a contrary and dangerous method is now pursued by some of the faction now in power. They have inverted the entire structure of our government.—Their mode is something like this.—In construing the powers of the General Government, they assert all powers to belong to it that are not expressly prohibited, instead of contending that all powers not expressly delegated are beyond its reach.—They disturb and subvert the whole order of Government, and would arm the General Government with the exercise of both delegated and reserved powers, leaving the States mere cyphers, and the Government supreme and unlimited. They even contend, as a counterpart of the first doctrine, that the States can exercise no power unless enumerated in the Constitution; thus stripping them of all their reserved rights, and converting the Constitution, which was framed by our wise fore-

fathers as an exposition of the delegated and prohibited powers, into an exposition of the reserved powers, in the face of that provision of the Constitution which says, "The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively." Such are the absurd and dangerous ideas entertained of our system of government.

To arrest the downward course of things, the General Government should be restrained in its usurpations, or assumptions of undelegated power. The States should be awake to its encroachments and invasions of their reserved powers, and respectively check such encroachments or invasions. To the trying and memorable times of '98 and '99, they can revert and witness a signal illustration of the potency and invaluable efficacy of the assertion, and enforcement of the genuine State Rights doctrine. The voice of Jefferson was echoed in the halls of the Legislature of Kentucky; and Madison was eloquent in favor of Virginia's nullification of the Sedition act, a usurpation of the General Government. A party must be rallied upon the Jeffersonian State Rights principles, which can only be done by a discussion of those principles. A party based upon these principles alone, can overturn the present ruinous dynasty. It is the only way to drive faction from among us. We propose in a few numbers, to investigate the doctrine of State Rights, in a plain, familiar style, easily comprehended by all our readers. Truth is the beginning and end of all enquiry.

From the New Orleans Bulletin.

MR. REA:—As there appears to be some disposition to affix the stain of abolition upon the pamphlet of the Rev. James Smylie, you would oblige a subscriber by publishing the following copy of a letter from J. K. Paulding, Esq. to the author:

New York, Oct. 15, 1836.

Sir—I received, a day or two ago, a copy of your "Review of a letter from the Presbytery of Chillicothe on the subject of Slavery;" and whether indebted to you for the favor or not, desire to offer my thanks to you personally for the pleasure as well as instruction I have gained from an attentive perusal.

Would any authority or argument quell the raging surges of minds overheated and disorganized by fanatical impulses, I should believe that the array of Scripture authority you have brought to bear against the dogma of the Abolitionists that slavery is contrary to the law of God, would induce them to pause in their dangerous crusade. But as I know that nothing is so impregnable as error founded on a perversion or misconstruction of the word of God, I feel little hope that you will make many converts among the Chillicothe Presbytery. I regret that I had not the aid of a little of your scriptural learning and research in a work upon the same subject, which I published last year, as then I should have been enabled to make my arguments much stronger. It gives me great pleasure to see preachers of God, apostles of peace and good will to mankind, exerting the authority of their talents, their character and their station, to arrest the progress of a species of fanaticism the most dangerous to the happiness of both races of mankind of any which has ever raged in this country. I am, with high respect and consideration, sir, your friend and servant.

J. K. PAULDING.

REV. JAMES SMYLIE, A. M.,
Tolers', Amite co. Mi.

The following closing paragraphs of Mr. Wise's speech on introducing his Resolution, enquiring into the Management of the Executive Departments are characteristic of that ardent, manly and fearless spirit:

Certain it is I cannot anticipate; time must develop the course and the policy of the coming Administration. And let no one accuse me of commencing an attack upon it in advance. No, sir; so far from it, though I hold Mr. Van Buren responsible for most mischief that has been done, and most that is now doing; though he has been the caucus candidate for the Presidency, and was nominated successor; though he is elected by Executive patronage, corruption, and dictation though he succeeds at the expense of the elective franchise; though he is a minority President, and has promised to follow generally in the footsteps of this Kitchen Cabinet Administration; yet, if he bravely dares to falsify that promise, "more honored in the breach than in the observance;" if he will kick away the base ladders by which he has climbed to the height of his ambition; if he will now leave Falstaff where he found him, and array around him the wisdom, intelligence, and virtue of the country, and base his Administration on a sound, elevated, and enlightened policy, free from corruption, and purely patriotic, uncontaminated by party, I will pledge my humble support to his measures, though I can never support the man, or pardon the past examples he has set. And why cannot I support the man whilst I approve his measures? For the very reason that he has

not "entered in at the straight gate." I shall always eschew the example which has been set in 1836, as I did that of 1825, in the election of President of these United States. The one example has been rebuked with a vengeance—the other will not be forgiven by me.

Sir, in this contest one great battle only has been fought between power and the people. The result is known. The conflict was not decisive, and must, as long as there is an honest heart to hope for freedom—shall go on until constitutional liberty, law, the independence of the people, and their representatives, honesty, truth and justice, are triumphant, or all are fettered in a despot's chains! Defeated, but not conquered; checked by the Prætorian bands of patronage, but not arrested their onward march; the patriot army is not discouraged or dismayed; smitten, but not struck down, the flag of the country is still flying! Defeat may drive some, the craven or the cormorant of spoils, from the standard of the true and the brave, but to the firm and proud spirits of the patriot band, I would say, "Who shall separate us from the love of country?" Shall defeat? Another such defeat will be a glorious victory! In this "we are more than conquerors," for I am persuaded that neither office, nor bribe, nor principalities, nor powers, nor things present, nor things to come, shall be able to separate us from the love of our country, its laws, and its liberties! God only knows in whose name this victory shall be achieved; it matters not; but this I know, be he who he may, his cause will be consecrated by the toils, the prayers, the sacrifices, and the hopes of the unsubdued and unterrified freemen. No, sir; let no man despair of the Republic.—The fight is not yet ended. The people are not yet vanquished. Their hosts are withdrawn only for the moment to recruit their forces, and to repair their broken weapons. The weapons of our warfare are the weapons of truth. It shall be my duty to assist in pointing anew its spears and its lances.

The question on the resolution was then taken without further debate, and carried: Ayes 86, noes 78.

We pity the President elect, if Van Buren is the man. With what intensity will he be bored? How wants, hopes, and fears, will cluster around his person? He will be often reminded of the applicant to his great exemplar, Jackson, who wished the office of minister to Great Britain. "Could he have it?" "No—it was filled." "Well, was there a Consulship vacant?" "No." "Have you any city postmastership, or custom house office, to dispose of?" "Unfortunately—none." "Any small vacancies in the office of mail contractors, any where?" "None." "No office at all?" "No, by Jupiter, there is not one solitary one!" "Well," said the applicant, drawing a long and heavy sigh, "could you let a friend have a few old clothes? Any cast off breeches, roundabouts, or any thing of the kind? If you could, you would greatly oblige me."—Philadelphia Gazette.

"Be it resolved, That as a manifestation of our pleasure on the happening of this auspicious event, the door-keeper be directed to illuminate the Capitol to-morrow evening at 7 o'clock."

The above resolution concerning Mr. Van Buren's election—so strikingly sycophantic—has passed the Alabama Legislature. We think that the members might be sufficiently occupied if they were to set about illuminating their minds and morals, instead of the Capitol.—Raym. Times.

CURE FOR THE TOOTH-ACHE.

It is with great pleasure we announce to our readers, that we are in possession of one of the greatest desiderata in the whole materia medica. The remedy is simple, easily procured, easily applied, and effectual. We do not speak unadvisedly, for we have tried it upon our own masticators, and those of our family, and some half a dozen of our friends, and we are therefore enabled to speak with confidence and safety. The receipt is as follows; take a lump of unslacked lime, about the size of a hickory nut, and slake it in two thirds or three quarters of a tumbler of water. Hold the lime water in the mouth, contiguous to the aching tooth, and certain relief will ensue. We never knew it to fail. If the relief is not permanent, repeat the application as often as the pain returns. If the pain is stubborn, and refuses to yield, the lime water may be made thicker and stronger.

The French Press.—In the course of last year there appeared in France 7,700 works in French, German, English, Spanish, Italian, Portuguese, Greek, and Latin. The number of copperplates and lithographs amounted to 1,049, and that of the musical publications to 250. In the royal printing office at Paris, there are types of 56 oriental dialects, including modern and ancient characters, and 16 of European nations which do not make use of Roman letters. The whole of the presses in the establishment are capable of working 278,000 sheets in a day, or 9,256 volumes of thirty sheets. The number of hands employed in it is 850.

A husband complained of his wife before a magistrate for assault and battery; and it appeared, on evidence, that he had pushed the door against her, and she in turn had pushed it against him; whereupon the counsel for the defendant said, that he could see no impropriety in a husband and wife *ad-doing* each other.

STATISTICS.

Our globe contains 146 millions square miles of water, and 50 millions land. In America are about 16 millions of square miles of land; in Asia 16; Africa 11; in Europe 3; in Australasia millions.

The population upon the earth is variously estimated, but is probably not from 700 millions. In Europe 180 millions, in Asia 340, in Africa 70, America 40, Australasia 26. The number of languages spoken upon the globe is about 3000.

The number of births, by estimation, to the number of inhabitants as 1 to 25, and the number of deaths as one to thirty three.

In Europe the number of male children born is to that of females as 21 to 20, 26 to 25. At the age of 15 years, the number of males and females is nearly equal. Over that age, the number of females is greater.

In a country where there are 10,000 births, the whole population is computed at 295,000; children under 15 years age at 93,060; over 15 years 202,000 married couples 23,000; widows 500 widowers 4000.

It is also computed, that nearly a quarter of the children born die the first year, and nearly a third within the first two years.

The number of births upon the earth a year is about 34 millions; in a day thousand; in an hour 2,708; in a minute 48.

In a population of one million, 502,000 will live to be 20 years of age; 324,000 45 years; 213,000 to 60; 117,000 to 74,000 to 80; 2,800 to 90; 207 to 100; 105; 2 to 108; 1 to 109; and none 110.

TO MR. T. *****

Sweet lady, do not scold nor fret,
Because we may be married yet;
Much stranger things than that, you know,
Have happened in this world of woe!

Alas! what times we had one day,
When you told me to tramp away;
I march'd, "as mad as a March hare,"
And did—I neither knew nor care.

You blew me up "silly high," I hear,
But for your tongue I'd naught to fear.
In slander I could play my part,
And did—though it might break your heart.

'Tis strange that you and I should fight;
When you told me to tramp away;
There's "no mistake" in me, you'll find,
For I am neither dumb nor blind.

I know that I should be above
A quarrel with the lass I love;
But, then, I act in self defence,
While you scorn me without pretence.

Now let us make the matter up—
Together once more let us sup;
No more about me scold or fret,
Because we may be married yet!

THE AIM OF RELIGION.

The aim of religion is accomplished, it succeed in making people good. Its commands are brightest when its holy influence disarms man of a blood-thirsty spirit. Its trophies consist in robbing people of their enmity towards each other, and warming their souls with a spirit which returns good for evil. Its most beautiful gems are good works, justice, charity, honesty and mercy. Its noblest duty is done if it can comfort the desolate widow and provide for the wants of the orphan. Religion! it is the name of all that is good; heaven given to men on earth. It is the angel of mercy in the house of death. It sweetens life. It expands and beautifies the affections of the heart. It binds families more firmly together in unity. It is the morning guide of youth in the path of duty. It is the staff of old age. It is the companion of man in all situations, times and places. It is the light which illumines the tomb. It gives new courage to the startled senses, when they are called to depart from the earth. It is not satisfied until it leaves the children of humanity before the throne of God, in the likeness of the resurrection, pure and faultless as the angels of Paradise.—Anonymous.

THE BIBLE.—As far as our species is concerned, we may say, one sun! one Bible! Shut that glorious book—bolt from the human memory what we have learned from its pages, and you destroy every ray of hope. The world lieth in darkness! To guilty, miserable man, there remains no saviour—no heaven—no guide in life—no support in affliction!—no victory over death! The grave becomes a fathomless abyss, and eternity surrounds him like the ocean—dark—illimitable—fearful! But open now again that book, and lo, the sun of righteousness arises with healing on its wings; and all around us and above us is love, and joy, and hope.

CONJUGAL AFFECTION.—The New York Era relates a story of a sailor on board a man-of-war, being punished (with the cut o' nine tails, we suppose,) while his wife stood calmly by and witnessed the operation without a tear, without visible sign of grief. The other women on board, being indignant at such a want of feeling, held a court martial on their hard hearted sister, and sentenced her to two dozen which they administered themselves. The women know what is what.—Boston Times.

A WARNING.—The following is copied from the back of \$1 note in Wheeling, Va.—"Friends take warning—this is the last dollar which I possess, of a fortune of \$30,000. The cause is whiskey and gin cocktail. A ruined man."